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FM AMCONSUL HO CHI MINH CITY  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 2608  
INFO RUEHHI/AMEMBASSY HANOI IMMEDIATE 1889  
RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE  
RUEHHM/AMCONSUL HO CHI MINH CITY 2805

UNCLAS HO CHI MINH CITY 000514

SIPDIS

SENSITIVE  
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E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [SOCI](#) [PINR](#) [ELAB](#) [VM](#)

SUBJECT: NO SURPRISES: HCMC DISSIDENT SHOW TRIAL RESULTS IN TOUGH  
CONVICTIONS

REF: HCMC 483 AND PREVIOUS

¶1. (SBU) A May 10 show trial for three members of the dissident People's Democratic Party and the United Workers Farmers Organization of Vietnam resulted in sentences of five, four and three years for the defendants Le Nguyen Sang, Nguyen Bac Truyen, and Huynh Nguyen Dao. All three were accused of violating Article 88 of the Penal Code "Propagandizing Against the State."

¶2. (SBU) HCMC authorities did not permit the CG, HCMC PolOff and the EU representative -- the HCMC German Consul -- to attend the May 10 trial for the three members of the United Workers Farmers Organization. Late in the evening the day before the trial, HCMC External Relations Officials told PolOff that the MFA had rejected our diplomatic note request to attend the trial because it "was closed to foreigners." When we told the HCMC External Relations Office that we would present our credentials to the court in the morning in any case, we were strongly discouraged from doing so. While we were waiting on the courthouse steps after formally being denied admittance to the trial, AFP and Reuters reporters based in Hanoi came out from the courtroom annex, having been given permission to view the trial via closed circuit TV. A number of supporters and friends of the defendants -- including a Sydney-based member of the International Bar Association -- also were prevented from viewing the trial. Security at the court was tight but not tense.

¶3. (SBU) The trial lasted approximately four hours. Following the trial, we spoke with Le Nguyen Thanh, Sang's brother, who was allowed to sit in the courtroom along with Sang's mother and sister. He told us that immediate family members of the other two defendants also were admitted. We also spoke with Truyen's attorney, Trinh Vinh Phuc (Sang and Dao defended themselves).

¶4. (SBU) According to Phuc, the prosecutor read out seven charges against the defendants, which included: participation in the PDP, "reading and distributing anti-GVN leaflets," providing information to U.S.-based members of the PDP about land disputes in Vietnam, planning demonstrations during APEC, and "writing a letter with disrespectful content to President Nguyen Minh Triet." During the trial, the prosecutors read a pre-written confession, in which Sang, Dao and Truyen admitted that "it was wrong to join the PDP." According to Truyen's lawyer, all three admitted that they violated the law, asked for leniency and promised to end their membership in the PDP. When asked to explain why they worked against the Party, they complained about corruption and mismanagement in the regime. Truyen's attorney sought to rebut the prosecutor's arguments for about 40 minutes, but, according to Sang's brother, the judge did not bother to listen.

¶5. (SBU) Following the trial, the CG spoke with AFP and Reuters reporters using cleared guidance. The CG noted that the trial

and convictions were "deeply troubling" and that we were aware of nothing to indicate that these individuals were engaged in anything but peaceful political expression. The CG highlighted USG concern with the increase in harassment, detention and imprisonment of political activists, including Father Nguyen Van Ly. He noted our intent to seek access to the HCMC trial of activist Tran Quoc Hien on May 15 and the May 11 trial in Hanoi of lawyers Nguyen Van Dai and Le Thi Cong Nhan.

¶6. (SBU) Comment: The sentences the three activists received are similar to the prison terms associates of Father Ly received in Hue in late March. The HCMC verdicts in no way reflect an effort by the government to temper punishment meted to dissidents. This is particularly the case considering that in the Hue trials, the defendants pleaded their innocence and strongly rebutted the government charges against them. Although we were denied access to today's trial, we will continue to press for access to the May 15 trial in HCMC of 8406 Bloc member and independent union organizer Tran Quoc Hien. Hien, Director of Saigon Legal Consultancy, is accused of "inciting" land protestors to demonstrate and of writing and disseminating on the Internet anti-Party and anti-GVN materials. He has been charged under Article 88 of the penal code for "anti-GVN propaganda" and under Article 89 for "disturbing security." End Comment.

WINNICK